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08/10/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
7885.33USD1	435		B. NGUYEN	1802

CERTIFICATE UNDER 37 CFR 1.10:  
"Express Mail" mailing label number: EM296799761US  
Date of Deposit: June 24, 1997  
  
I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.  
  
By: Nassir A. Muhammad

1105 U.S. PTO  
08/081393  
06/24/97

DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.60

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This is a request for filing a divisional application under 37 CFR § 1.60 of Serial No. 08/403,844, filed on April 18, 1995 entitled METHOD FOR DETECTION OF SPECIFIC TARGET CELLS IN SPECIALIZED OR MIXED CELL POPULATION AND SOLUTIONS CONTAINING MIXED CELL POPULATIONS by the following inventor(s):

Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country
Full Name Of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

1. ☒ Enclosed is a true and correct copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The copy of the prior application is as follows: Form PTO-1390 (Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371, 2 pages); Communication re inventors (1 page); Preliminary Amendment (4 pages); PCT Publication No. WO 94/07139, including 27 pages of specification, 16 claims, 1 page of abstract, (no drawings); signed Combined Declaration and Power of Attorney (2 pages); International Preliminary Examination Report (3 pages) with amended pages of specification and claims (22 pages); PCT Request (3 pages); and Written Opinion (6 pages).

2. ☒ Cancel in this application original claims 2-16 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

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3. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS: 26 -20	6	x	\$11.00	\$66.00
INDEPENDENT CLAIMS 1 -3	0	x	\$40.00	\$0.00
			BASIC FILING FEE:	\$385.00
			TOTAL FILING FEE:	\$451.00

- ☒ A Verified Statement that this filing is by a small entity is already filed in the prior application (copy enclosed).
- ☐ A Verified Statement that this filing is by a small entity is attached.
4. ☒ Payment of fees:  
☒ Attached is a check in the amount of \$451.00.  
☐ Please charge Deposit Account No. 13-2725.
5. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
6. ☒ Amend the specification by inserting before the first line the sentence:

a' "This is a Divisional of application Serial No. 08/403,844, filed April 18, 1995, which is a U.S. National Stage filing of PCT/NO93/00136, filed September 10, 1993 and amended on April 14, 1994, claiming priority from PCT/NO92/00151, filed September 14, 1992, which application(s) are incorporated herein by reference."

7. ☐ A set of formal drawings (\_\_\_\_ sheets) is enclosed.
8. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_, is claimed under 35 U.S.C. 119.
- ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
9. ☐ The prior application is assigned of record to \_\_\_\_\_.
10. ☒ The Power of Attorney in the prior application is to:

Merchant, Gould, Smith, Edell,  
Welter & Schmidt, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402-4131

11. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ Fee for excess claims is attached.
12. ☐ A petition and fee has been filed to extend the term in the prior application until \_\_\_\_\_. A copy of the petition for extension of time in the prior application is attached.
13. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
14. ☒ Also Enclosed: INFORMATION DISCLOSURE STATEMENT, and FORM 1449.
15. ☒ Address all future communications to the **Attention of Mark T. Skoog** (may only be completed by attorney or agent of record) at the address below.
16. ☒ A return postcard is enclosed.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402  
612/332-5300

By Mark T. Skoog  
Mark T. Skoog  
Reg. No. 40,178  
MTS:PSTcbb

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

7885.33-US-100

U.S. APPLICATION NO. (If known, see 37 C.F.R.1.5)

INTERNATIONAL APPLICATION NO.

PCT/NO93/00136

INTERNATIONAL FILING DATE

10 September 1993

PRIORITY DATE CLAIMED

14 September 1992

TITLE OF INVENTION

A METHOD FOR DETECTION OF SPECIFIC TARGET CELLS IN SPECIALIZED OR MIXED CELL...

APPLICANT(S) FOR DO/EO/US

FODSTAD ; KVALHEIM

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☒ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
  6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☒ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☐ Other items or information:

PCT/N093/00136

7885.33-US-000

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO..... \$850.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
..... \$660.00No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)).. \$730.00Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$980.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$92.00**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS** PTO USE ONLY

\$ 93000

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	14 -20 =		X \$22.00
Independent claims	1 -3 =		X \$76.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$240.00

**TOTAL OF ABOVE CALCULATIONS =**

\$ 990 -

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).**SUBTOTAL =**

\$

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)). + \$**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$**TOTAL FEES ENCLOSED =**

\$ 980 -

Amount to be:  
refunded \$  
charged \$a. ☒ A check in the amount of \$ 980 - to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Michael B. Lasky  
MERCHANT & GOULD  
90 South Seventh Street  
3100 Norwest Center  
Minneapolis, Minnesota 55402

SIGNATURE:

Michael B. Lasky

NAME

29,555

REGISTRATION NUMBER